

PHILLIP A. TALBERT  
United States Attorney  
STEPHANIE M. STOKMAN  
ALYSON A. BERG  
Assistant U.S. Attorneys  
2500 Tulare Street, Suite 4401  
Fresno, CA 93721  
Telephone: (559) 497-4000  
Facsimile: (559) 497-4099

Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
WESLEY TSUKAMOTO,  
  
Defendant.

CASE NO. 1:21-CR-00115-DAD-BAM

STIPULATION AND ORDER FOR  
INTERLOCUTORY SALE OF 2016 LEXUS IS  
SEDAN, VIN: JTHBE1D24G5027497,  
REGISTERED TO WESLEY TSUKAMOTO

It is hereby STIPULATED between the United States of America, by its attorney, Phillip A. Talbert, United States Attorney for the Eastern District of California, Stephanie M. Stokman and Alyson A. Berg, Assistant United States Attorneys, and defendant Wesley Tsukamoto, by and through his counsel of record, to enter into an Interlocutory Sale agreement regarding the seized vehicle listed below:

1. On or about April 21, 2021, agents with the Federal Bureau of Investigation ("FBI") working with agents with the Drug Enforcement Agency executed a federal seizure warrant on the 2016 Lexus IS Sedan, VIN: JTHBE1D24G5027497 (hereafter "2016 Lexus"). The 2016 Lexus is in the custody of the United States Marshals Service for the Eastern District of California.

2. Defendant Wesley Tsukamoto was indicted in this case on May 25, 2021. The Indictment included a forfeiture allegation.

3. The United States filed a Bill of Particulars for Forfeiture of Property in this action on July 21, 2021, seeking the forfeiture of the 2016 Lexus IS Sedan, VIN: JTHBE1D24G5027497, registered to

1 Wesley Tsukamoto.

2 4. In or around April 2019, Wesley Tsukamoto purchased the 2016 Lexus. According to  
3 Department of Motor Vehicle records, title was transferred to him on or about April 22, 2019. The  
4 United States is not aware of any lien on the 2016 Lexus.

5 The parties agree that the 2016 Lexus should be sold to preserve its value pending further Order  
6 of the Court. NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED that Plaintiff,  
7 United States of America, and defendant Wesley Tsukamoto, by and through their undersigned counsel,  
8 consent to the following:

9 1. The legal description of the vehicle is: 2016 Lexus IS Sedan, VIN:  
10 JTHBE1D24G5027497, and the owner of record is Wesley Tsukamoto.

11 2. The United States Marshals Service, or its designee, shall sell the 2016 Lexus in the most  
12 commercially feasible manner, as soon as reasonably possible, for the maximum price.

13 3. The net sale proceeds of the sale will include the funds realized from the sale after  
14 payment of all seizure, storage, auction and sale costs, including, without limitation to, forfeiture seizure  
15 and arrest costs, storage costs, transportation expenses, sales commissions, advertising expenses and  
16 sales costs. The net proceeds of sale shall be deposited into the United States Marshals Service's Seized  
17 Asset Deposit Fund and held pending further order of the court.

18 4. In furtherance of the interlocutory sale, Wesley Tsukamoto represents to the United States  
19 that no other person or entity holds an ownership interest in the 2016 Lexus which is the subject of this  
20 stipulation. In furtherance of the interlocutory sale, Wesley Tsukamoto agrees to promptly execute any  
21 documents that may be required to complete the interlocutory sale of the 2016 Lexus.

22 5. There are no outstanding liens or encumbrances against the 2016 Lexus.

23 6. Wesley Tsukamoto acknowledges that he has obtained the advice of counsel, and that he  
24 is entering into this stipulation for interlocutory sale knowingly and voluntarily.

25 ///

26 ///

27 ///

28 ///

7. All parties are to bear their own costs and attorney's fees as it relates to this Stipulation and Order.

Dated: June 15, 2022

PHILLIP A. TALBERT  
United States Attorney

By: /s/ Alyson A. Berg  
STEPHANIE M. STOKMAN  
ALYSON A. BERG  
Assistant U.S. Attorney

Dated: June 15, 2022

/s/ John F. Garland  
JOHN F. GARLAND  
Attorney for Defendant  
Wesley Tsukamoto  
(As approved by email on 6/15/22)

**ORDER**

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the foregoing Stipulation is APPROVED, the specific terms of which are incorporated by reference herein as if fully set forth. IT IS SO ORDERED.

Dated: June 15, 2022

Dale A. Boyd  
UNITED STATES DISTRICT JUDGE